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UNUM LIFE INSURANCE COMPANY
OF AMERICA and DIVA SYSTEMS
CORPORATION LONG-TERM DISABILITY
GROUP INSURANCE PLAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARILYN KING,

Plaintiff,

vs.

UNUM LIFE INSURANCE COMPANY OF
AMERICA and DIVA SYSTEMS
CORPORATION LONG-TERM
DISABILITY GROUP INSURANCE
PLAN,

Defendants.

Case No. C 05-02645-JF

**STIPULATION OF THE PARTIES
RE CONTINUATION OF THE
MARCH 10, 2006 CASE
MANAGEMENT CONFERENCE IN
THIS MATTER**

Plaintiff Marilyn King ("plaintiff"), through her counsel of record, Charles B. Perkins, Flynn, Rose & Perkins, and defendants Unum Life Insurance Company of America and DVA Systems Corporation Long-Term Disability Group Insurance Plan ("defendants"), through their counsel of record, Sean P. Nalty, Kelly, Herlihy & Klein, hereby request that the Court continue the March 10, 2006 Case Management Conference in this matter based on the following facts and on the stipulation of the parties set forth below:

PERTINENT FACTS

Counsel for plaintiff, Mr. Perkins, currently is set to undergo a surgical procedure on February 21, 2006. He anticipates that the recovery period from this surgery could last up to six weeks. The parties efforts to mediate this matter have been delayed by Mr. Perkins' medical procedure and recovery. Taking this delay into consideration, the parties have set a mediation for April 20, 2006 with Len Sprinkles, Esq. This mediation has been scheduled and confirmed by all parties.

STIPULATION

Plaintiff, through her counsel of record, and defendants, through their counsel of record, hereby enter into the following stipulation:

Based on the facts set forth above, the March 10, 2006 Case Management Conference in this matter can be continued to a date after the April 20, 2006 mediation in this matter, preferably the first week in May, 2006. The parties agree that efforts to settle this matter should be undertaken before participation in the Case Management Conference.

IT IS SO STIPULATED

FLYNN, ROSE & PERKINS

Date: February 10, 2006

By Charles B. Perkins
Charles B. Perkins
Attorneys for Plaintiff
MARILYN KING

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STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE

CASE NO. C 05-02645-JF

KELLY, HERLIHY & KLEIN LLP

Dated: February 15, 2006

By Sean P. Nalty
Sean P. Nalty

Attorneys for Defendants

UNUM LIFE INSURANCE COMPANY
OF AMERICA and DIVA SYSTEMS
CORPORATION LONG-TERM DISABILITY
GROUP INSURANCE PLAN

ORDER

It is hereby ordered that the Case Management Conference, currently set for March 10, 2006,
be continued to May 5, 2006. The parties shall file a Case Management Conference
Statement at least 14 days prior to the conference.

IT IS SO ORDERED

Date: March 6, 2006

Jeremy Fogel
JEREMY FOGEL
JUDGE OF THE UNITED STATES
DISTRICT COURT

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